

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Chen, et al.  
App. No : 10/586,204  
Filed : September 29, 2006  
For : PROCESS FOR THE PRODUCTION  
OF ASYMMETRIC  
TRANSFORMATION CATALYSTS  
Examiner : Shterengarts, Samantha L.  
Art Unit : 1626  
Conf # : 4772

## RESPONSE TO RESTRICTION REQUIREMENT

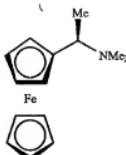
**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In an Office Action dated November 20, 2008, a Restriction Requirement was imposed. In connection therewith, Applicants have been required to elect species as follows.

a) the name and structure of one species of Formula (A), one species of  $-PR^1R^1'$ , and one species of X\*.

Applicants hereby elect, without traverse, (R)-N,N-dimethyl-1-ferrocenyl-ethylamine as the species of Formula (A). The structure of (R)-N,N-dimethyl-1-ferrocenyl-ethylamine is as follows:



Applicants hereby elect, without traverse,  $-P(MeOPh)Ph$  as the species of  $-PR^1R^1$ .

Applicants hereby elect, without traverse,  $-CHMeNMe_2$  as the species of  $X^*$ .

b) the location of the three species (a) within the claims or (b) within the specification.

$(R)-N,N$ -dimethyl-1-ferrocenyl-ethylamine is found in Examples 1-3, and 5-10 of the specification as filed.

$-P(MeOPh)Ph$  is found in Examples 1, 11, 17, 23, 27, 33, 39, 42, 44, 46, 48, 51, 53, 55, and 57 of the specification as filed.

$-CHMeNMe_2$  is found in Examples 1-16, and 39-41 of the specification as filed.

c) the claims that read on the process for the production of chiral ligands comprising the three elected species.

Claims 14-16, 19-28, and 31-35 read on the process for the production of chiral ligands comprising  $(R)-N,N$ -dimethyl-1-ferrocenyl-ethylamine.

Claims 14-16, 19-28, and 31-35 read on the process for the production of chiral ligands comprising  $-P(MeOPh)Ph$ .

Claims 14-16, 19-28, and 31-35 read on the process for the production of chiral ligands comprising  $-CHMeNMe_2$ .

d) a definition of the exact substitutions.

In the compound and groups recited above, Me is methyl, Fe is iron, P is phosphorus, C is carbon, H is hydrogen, O is oxygen, N is nitrogen, and Ph is phenyl.

e) whether  $X^*$  is chiral or achiral.

$X^*$  is chiral.

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Upon allowance of a generic claim, Applicants will request rejoinder of any withdrawn claims to nonelected species. The Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

Conclusion

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: February 18, 2009

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